

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

DARNELL COBB,

Defendant.

**CR-15-39-GF-BMM**

**ORDER**

Defendant Darnell Cobb moved this Court to terminate early his period of supervision on February 27, 2019. (Doc. 39.) The Government opposes the motion. (Doc. 42.) The Court conducted a hearing on March 18, 2019. (Doc. 43.) The Court stated at the hearing that it would grant Cobb's motion for early termination if Cobb continued to comply with the conditions of his supervised release for the next thirty days. *Id.*

The Grand Jury indicted Cobb on one count of Failure to Register as a Sexual Offender in violation of 18 U.S.C. § 2250(a). (Doc. 2.) Cobb pleaded guilty to the sole count in the Indictment on September 8, 2015. (Doc. 18.) The Court sentenced Cobb to six months of imprisonment followed by sixty months of

supervised release on December 12, 2015. (Docs. 23, 24.) Cobb began his term of supervised release on January 13, 2016. (Doc. 28 at 1.)

United States Probation Officer Gentry Cummins filed a petition to revoke Cobb's supervised release on November 14, 2017. (Doc. 28.) The petition alleged that Cobb had committed the following thirteen violations of his supervised release conditions by: (1) failing to answer truthfully all inquiries by the probation officer; (2-5) committing four federal, state, or local crimes; (6-8) failing to appear for three sex offender treatment sessions; (9) failing to notify his probation officer of a change in residence; (10) failing to appear for polygraph testing; (11) failing to notify his probation officer of a change in employment; (12) failing to report to his probation officer; and (13) failing to complete successfully a sex offender treatment program. *Id.* at 1-5. The Court determined that Cobb had violated his conditions of his supervised release on January 17, 2018. (Doc. 36.) The Court, however, agreed to delay disposition of sentence for ninety days. *Id.* The Court granted the Government's motion to dismiss the petition to revoke at the disposition of sentence hearing on April 18, 2018. (Doc. 37.)

Cobb's term of supervised release will expire on January 12, 2021. (Doc. 40 at 2.) A defendant, who has successfully completed one year of his supervision, is authorized to move for termination of his supervised release. 18 U.S.C. §§ 3564(c), 3583(e)(1). The Court has "broad discretion in determining whether to grant a

motion to terminate supervised release.” *United States v. Emmett*, 749 F.3d 817, 819 (9th Cir. 2014). Notably, the Court may terminate a defendant’s supervision, if after looking at the 18 U.S.C. § 3553(a) factors, the Court finds that termination is “warranted by the conduct of the defendant and the interests of justice.” 18 U.S.C. § 3564(c); *see also* 18 U.S.C. § 3583(e)(1).

Cobb’s attorney, Hank Branom, represents that Probation Officer Gentry Cummins stated that Cobb has been compliant with his conditions of supervised release since November 14, 2017, with the exception of one minor, not filed violation for forgetting to turn in monthly paperwork. *Id.* Branom further represents that Cobb’s sex offender treatment provider, Cathy Cardneaux, supports Cobb’s motion of early termination of his supervised release. *Id.* Cardneaux advised Branom that Cobb understands that he must register for sex offender treatment, that he has not committed any other offenses, follows all registry requirements, and maintains employment. *Id.* There have been no reported violations of Cobb’s conditions since the Court conducted a hearing on the instant motion on March 18, 2019. The Court finds that early termination of Cobb’s supervised release serves the interests of justice.

Accordingly, IT IS ORDERED that Defendant Darnell Cobb’s Motion for Early Termination of Supervised Release (Doc. 39) is GRANTED.

IT IS FURTHER ORDERED that Defendant Darnell Cobb is  
DISCHARGED from supervised release.

DATED this 18<sup>th</sup> day of April, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line underneath it.

Brian Morris  
United States District Court Judge